IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

Bail Appl..No. 7537 of 2006()

Crime No.459/06 of Venjaramoodu Police Station

: PETITIONER

KHAJAN KUMAR, S/O. SREEKANTAN NAIR,
AGED 25 YEARS, RESIDING AT 179/1,
KHAJAN BHAVAN, VELLUMANNADI, PULLAMBARA,
NEDUMANGADU.

BY ADV. SRI.AYYAPPAN SANKAR
SRI.M.ZIYAD

RESPONDENTS: COUNTER PETITIONERS

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1. STATE OF KERALA, REPRESENTED BY
GOVERNMENT PLEADER, HIGH COURT OF KERALA.

2. S.I. OF POLICE,
VENJARAMOODU POLICE STATION.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7537 of 2006

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Dated this the 20th day of December, 2006.

ORDER

Petitioner seeks anticipatory bail on the allegation that the Venjaramoodu Police are at his heels to arrest and harass him in connection Crime No.459 of 2006 registered with regard to an abkari offence.

2. The learned Public Prosecutor submitted that the petitioner is an accused in the above crime. Since the petitioner is the registered owner of the motor bike and he had lodged a complaint before the Venjaramoodu Police Station soon after the disappearance of the motor bike from his house and the petitioner does not, prima facie, seem to be aware of the recovery of the motor bike in an abandoned manner with four liters of arrack, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the investigating Officer concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- with two solvent

sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 20/12